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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,400	08/19/2003	Juei-Mei Wang		7921

25859 7590 04/26/2005

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EXAMINER

HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/644,400	Applicant(s) WANG, JUEI-MEI	
	Examiner Lalita M Hamilton	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04172005</u> . | 6) <input type="checkbox"/> Other: _____ |

-DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

The disclosure is objected to because of the following informalities:

On p.2, "anew" should be "new".

On p.3, "anew" should be "a new".

On p.8, "anew a" should be "a new".

Appropriate correction is required.

Claim Objections

Claims 6-10 are objected to because of the following informalities:

In claim 6, there is a spacing issue between "fixed" and "asset".

In claim 9, "a new a" should be "a new".

The remaining claims are objected to for their dependency upon objected claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-3 and 6-8 are rejected for the following reasons:

Regarding claim 2, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

In claim 3, "fixed asset procurement platform" lacks antecedent basis.

In claim 6, "depreciation method selecting module" and "depreciation period setting module" lack antecedent basis.

The remaining claims are rejected for their dependency upon rejected claims.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 6-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

35 USC 101 requires that in order to be patentable the invention must be a "new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof" (emphasis added).

Claims 6-10 are rejected under 35 U.S.C. 101 because; the claimed invention is directed to a non-statutory subject matter. Specifically the method claims as presented do not claim a technological basis in the pre-amble and the body of the claim. Without a claimed basis, the claim may be interpreted in an alternative as involving no more than a manipulation of an abstract idea and therefore non-statutory under 35 U.S.C. 101. In contrast, a method claim that includes in the body of the claim structural / functional interrelationship which can only be computer implemented is considered to have a

Art Unit: 3624

technological basis [See Ex parte Bowman, 61 USPQ2d 1669, 1671 (Bd. Pat. App. & Inter. 2001) - used only for content and reasoning since not precedential].

In order to overcome the 101 rejection above, the following preamble is suggested:

A computer implemented method for ---, or something similar. Also, in the body of the claim include structural / functional interrelationship which can only be computer implemented.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Hollar (US 2003/0126048).

Hollar discloses a method and corresponding system for asset-based lease management and accounting comprising a fixed assets management system for calculating depreciation expenses and revaluing fixed assets when fixed asset variations occur, the fixed assets management system comprising an application server, a database server, and a plurality of client computers linking to the application server through a network (p.2-3, 12 and p.4, 71-72); a depreciation method selecting module

for selecting suitable depreciation methods for fixed assets (p.8, 98); a depreciation period setting module for setting appropriate depreciation periods for fixed assets (p.9, 106); a depreciation expense calculating module for calculating depreciation expenses according to purchase prices, depreciation methods and depreciation periods of fixed assets (p.5, 74); a fixed asset variation management module for revaluing fixed assets when fixed asset variations occur (p.8, 102—modifying depreciation method); a fixed asset procurement platform for purchasing fixed assets and providing original data such as fixed asset types, purchase prices, and usage dates for purchased fixed assets (p.7, 91); the application server further comprises a fixed assets management module for obtaining fixed asset information from the fixed asset procurement platform, and determining fixed asset types, purchase prices and usage dates for fixed assets (p.7, 91); the application server further comprises a statement output module for generating depreciation status statements for fixed assets (p.7, 95 and p.9, 106—statement information); the application server further comprises a user management module for managing user information of all fixed assets (p.4, 72); obtaining information on the fixed asset from a fixed asset procurement platform (p.7, 91); providing a fixed assets management module to determine a fixed asset type, a purchase price and a usage date for the fixed asset (p.7, 91); obtaining a depreciation statement from a database server (p.9, 106); searching in the depreciation method selecting module to determine whether a depreciation method for the fixed asset has been selected (p.8, 98-100); searching in the depreciation period setting module to determine whether a depreciation period for the fixed asset has been set (p.9, 106); providing a depreciation expense

Art Unit: 3624

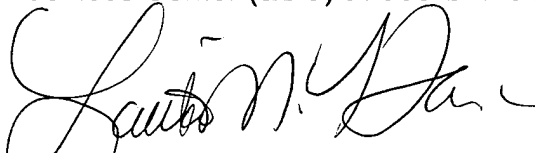
calculating module to calculate a depreciation rate and a depreciation expense of each year for the fixed asset in accordance with the purchase price, the depreciation method and the depreciation period (p.5, 74); selecting a suitable depreciation method for the fixed asset if no depreciation method has been selected for the fixed asset (p.8, 98-100 and p.16, 198); setting an appropriate depreciation period for the fixed asset if no depreciation period has been set for the fixed asset (p.9, 106 and p.16, 198); receiving information on the varied fixed asset (p.8, 98-100); accessing a relevant depreciation status statement for the varied fixed asset from the database server (p.7, 95 and p.9, 106); providing a fixed asset variation management module to calculate a residual value for the varied fixed asset according to a purchase price and depreciation expenses in the depreciation status statement (p.8, 102); designating a new usage date (p.9, 106); providing a depreciation method selecting module to select a new a depreciation method for the varied fixed asset (p.8, 98-100); providing a depreciation period setting module to set a new depreciation period for the varied fixed asset (p.9, 106); providing a depreciation expense calculating module to calculate a depreciation rate and a depreciation expense of each year for the varied fixed asset according to the residual value, the newly set depreciation method and the new depreciation period (p.5, 74); and updating original depreciation records in the depreciation status statement of the varied fixed asset to generate a new depreciation status statement.

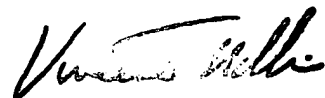
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M Hamilton whose telephone number is (703) 306-5715. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LMH





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SUPERVISORY PATE
TECHNOLOGY CEN.